

ENTIRE CHAPTER 17.78 PROPOSED FOR DELETION

Chapter 17.78

FUTURE WIDTH AND SPECIAL BUILDING LINES

Sections:

- 17.78.010 Bay Avenue.
- 17.78.020 Capitola Road.
- 17.78.030 41st Avenue.
- 17.78.040 Cliff Drive.
- 17.78.050 Park Avenue.
- 17.78.060 Monterey Avenue.
- 17.78.070 Soquel Creek—Residences.
- 17.78.080 Soquel Creek—Docks.
- 17.78.090 Soquel Creek—Decks.

17.78.010 Bay Avenue. The minimum front open space for both sides of Bay Avenue between Capitola Road and the State Highway Route 56 shall be fifteen feet. (Ord. 388 §24.01, 1975).

17.78.020 Capitola Road. The minimum front open space for both sides of Capitola Road for the presently existing street and any portion of said street which may be annexed to the city shall be twelve feet. (Ord. 388 §24.02, 1975).

17.78.030 41st Avenue. The minimum front open space for both sides of 41st Avenue south of Capitola Road for the presently existing street and any portion of said street which may be annexed to the city shall be twelve feet. The minimum front setback for both sides of 41st Avenue north of Capitola Road to the state highway for the presently existing street and any portion of said street which may be annexed to the city shall be fifty-three feet from the centerline. (Ord. 388 §24.03, 1975).

17.78.040 Cliff Drive. The minimum front open space for the northerly side of the first two hundred fifty feet of Cliff Drive west of the intersection of Wharf Road shall be ten feet. (Ord. 388 §24.04, 1975).

17.78.050 Park Avenue. The minimum front open space for the westerly side of Park Avenue from the southerly line of Kennedy Drive, extending southerly and southwesterly a distance of one thousand two hundred feet, shall be ten feet in addition to any setback now required.

(Ord. 388 §24.05, 1975).

17.78.060 Monterey Avenue. In addition to any setback now required, there is required an additional five-foot setback along both sides of Monterey Avenue, northeasterly from the intersection with Washburn Avenue to the intersection with Kennedy Drive, and both sides of Kennedy Drive, easterly from the intersection with Park Avenue. (Ord. 388 §24.06, 1975).

17.78.070 Soquel Creek--Residences. A. The minimum permanent structure setback from the creek bank of Soquel Creek shall be thirty-five feet. The measurement shall be made horizontally and perpendicularly from the creek bank high water mark or existing bulkhead as determined by the city planner.

B. Anyone affected by the city planner's determination may file within ten days of the determination a written appeal with the planning commission, which shall consider and decide the matter. No fee shall be required. (Ord. 388 §24.08, 1975).

17.78.080 Soquel Creek--Docks. Docks shall not extend more than four feet into the creek from the creek bank and shall be constructed at high water levels and parallel to the creek bank. (Ord. 388 §24.09, 1975).

17.78.090 Soquel Creek--Decks. Decks not attached to residences shall not extend beyond the creek bank into or over the creek, nor shall the understructure of said deck be enclosed, nor shall said structure exceed three feet in height. Decks attached to houses shall not extend more than fifteen feet into the setback area described in Section 17.78.070. (Ord. 388 §24.10, 1975).

PROPOSED AMENDMENT TO SECTION 17.21.110:

17.21.110 Yards. There shall be no yard requirements in the C-V zone, except that: (1) ten percent of lot area shall be developed as landscaped open area, at least partially fronting on, and open to, the street. No portion of this landscaped area shall be used for off-street parking, and (2) a minimum front open space for the northerly side of the first two hundred fifty feet of Cliff Drive, west of the intersection of Wharf Road, shall be ten feet. (Ord. 757 §2, 1993; Ord. 622 Exhibit A (part), 1987).

PROPOSED AMENDMENT TO SECTION 17.27.110

17.27.110 Yards.

~~A. On those properties fronting on 41st Avenue between the Highway One Interchange and the intersection of 41st Avenue and Jade Street, the front yard setback shall not be less than fifteen feet. In all other portions of the CC district, the front yard setback shall be not less than five feet. The front yard setback area shall be used for and maintained as landscaped area only, except for accessways. Such landscaping shall be in accordance with any applicable guidelines established by the architectural and site committee, including the 41st Avenue design guidelines.~~

~~B. In the case where a proposed building line for the street(s) upon which any lot faces is established by the street and highway plan of the master plan, or is specified by the provisions of this title, then the front yard setback shall be measured from the proposed building line.~~

A. Landscaped areas of front yards shall be set back fifteen feet in accordance with the 41st Avenue design guidelines.

~~C. B.~~ Side and rear yard setbacks may be required through architectural and site approval in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide.

~~D. C.~~ Front yards and corner lot side yards shall not be used for required parking facilities. (Ord. 757 §3, 1993: Ord. 556 §1(part), 1984: Ord. 388 §9.07(d), 1975).

PROPOSED AMENDMENT TO SECTION 17.63.090

17.63.090 Considerations in review of applications. The considerations of the architectural and site review committee shall include, but not be limited to, the following:

- A. Considerations relating to traffic circulation, safety and congestion;
- B. Considerations relating to outdoor advertising:
 - 1. The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development;
- C. Considerations relating to landscaping:
 - 1. The location, height and materials of walls, fences, hedges, trees and screen plantings to insure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development,
 - 2. The planting of groundcover or other landscape surfacing to prevent dust and erosion,
 - 3. The prevention of unnecessary destruction of existing healthy trees,
 - 4. Usable open space shall be reviewed both with respect to area and quality of landscape development;
- D. Considerations relating to site layout:
 - 1. The orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood and the appearance and harmony of the buildings with adjacent development;
- E. Considerations relating to drainage:
 - 1. The effect of the site development plan on the adequacy of the storm and surface water drainage to both the site and adjacent property,
 - 2. Connection to existing drainage systems;
- F. Considerations relating to architectural character:
 - 1. The suitability of the building for its purpose,
 - 2. The appropriate use of materials to insure compatibility with the intent of the title;
- G. Considerations relating to fire prevention:
 - 1. Sufficient and suitable access to all areas for emergency vehicles,
 - 2. Proper location and spacing of fire hydrants;
- H. Considerations relating to excavation and grading;
- I. Consideration relating to landscape maintenance:
 - 1. The proper maintenance of landscape planting to encourage healthy growth and the replacement of dead plants until all plants are established,
 - 2. The committee may require a one-thousand dollar performance bond for a period of one year beginning from the date of final inspection;
- J. Protection of historic features and vistas;
- K. Considerations related to encouraging utilization and protection of solar energy, including:

1. The orientation of the lot,
 2. Height of proposed building,
 3. Distance between proposed building and south wall of adjacent structure(s),
 4. Extent to which adjacent building(s) will have solar access to south roof and/or wall,
 5. Extent to which adjacent south facing wall(s), roof top(s), and solar collector(s) are shaded by the proposed structure(s);
- L. Consideration of design guidelines for special commercial or residential areas contained in the general plan, coastal plan, area plans or other approved design policies;
- M. Review of floodplain areas as designated on the flood boundary map in accord with the standards of Chapter 17.50 and with this title;
- N. The committee will require enclosed garbage areas of an adequate size to provide for garbage and recycling storage and collection for the project. (Ord. 575 §4, 1993; Ord. 575 §3, 1984; Ord. 556 §2, 1984; Ord.-517 §5, 1982; Ord. 515 §5(part), 1982; Ord. 388 §19.09, 1975).

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